

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION**

In re:

**Jamie Leroy Senter and Crystal Joy Senter**

a/k/a Crystal Joy Maguill

S.S. Nos.: xxx-xx-4595 and xxx-xx-3426

Mailing Address: 3 Red Spring Court, Durham, NC 27703-

**Case No. 08-81142**

Debtors.

**NOTICE TO CREDITORS AND PROPOSED PLAN**

The Debtors have filed for relief under Chapter 13 of the United States Bankruptcy Code on August 6, 2008.

The filing automatically stays collection and other actions against the Debtors, Debtors' property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtors' proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: September 24, 2008

**LAW OFFICES OF JOHN T. ORCUTT, P.C.**

/s John T. Orcutt

John T. Orcutt

N.C. State Bar No. 10212

Counsel for the Debtors

6616-203 Six Forks Rd.

Raleigh, N.C. 27615

Tel. No. (919) 847-9750

circular.wpt (rev. 4/16/06)

# CH. 13 PLAN - DEBTS SHEET (MIDDLE DISTRICT - DESARDI VERSION)

Date: 8/6/08  
 Lastname-SS#: Senter-4595

## RETAIN COLLATERAL & PAY DIRECT OUTSIDE PLAN

| Creditor Name | Sch D # | Description of Collateral |
|---------------|---------|---------------------------|
| Child Support |         |                           |
|               |         |                           |
|               |         |                           |
|               |         |                           |

## SURRENDER COLLATERAL

| Creditor Name      | Description of Collateral |
|--------------------|---------------------------|
| Southbeach Resorts | Timeshare                 |
|                    |                           |
|                    |                           |
|                    |                           |

## ARREARAGE CLAIMS

| Creditor Name             | Sch D # | Arrearage Amount | (See**) |
|---------------------------|---------|------------------|---------|
| Child Support             |         |                  |         |
|                           |         |                  |         |
|                           |         |                  |         |
|                           |         |                  |         |
| 1st DOT - Bank of America | 1       | 5,241            | **      |
| 2nd DOT - Beneficial      | 2       | 1,248            | **      |
| HOA Dues                  |         |                  |         |

## REJECTED EXECUTORY CONTRACTS/LEASES

| Creditor Name | Description of Collateral |
|---------------|---------------------------|
|               |                           |
|               |                           |
|               |                           |
|               |                           |

## LTD - DOT ON PRINCIPAL RESIDENCE & OTHER LONG TERM DEBTS

| Creditor Name             | Sch D # | Monthly Contract Amount | Int. Rate | Adequate Protection | Minimum Equal Payment | Description of Collateral |
|---------------------------|---------|-------------------------|-----------|---------------------|-----------------------|---------------------------|
| 1st DOT - Bank of America | 1       | \$1,300                 | n/a       | n/a                 | \$1,300.00            | House and Lot             |
| 2nd DOT - Beneficial      | 2       | \$413                   | n/a       | n/a                 | \$413.00              | House and Lot             |
| HOA Dues                  |         | \$16                    | n/a       | n/a                 | \$16.00               | House and Lot             |
|                           |         |                         | n/a       | n/a                 |                       |                           |

## STD - SECURED DEBTS @ FMV

| Creditor Name          | Sch D # | FMV      | Int. Rate | Adequate Protection | Minimum Equal Payment | Description of Collateral |
|------------------------|---------|----------|-----------|---------------------|-----------------------|---------------------------|
| HSBC - PMSI - Neg. Eq. | 4       | \$18,732 | 8.00      | \$187               | \$379.82              | 2007 Chrysler Pacifica    |
|                        |         |          | 8.00      |                     |                       |                           |
|                        |         |          | 8.00      |                     |                       |                           |
|                        |         |          | 8.00      |                     |                       |                           |

## STD - SECURED DEBTS @ 100%

| Creditor Name     | Sch D # | Payoff Amount | Int. Rate | Adequate Protection | Minimum Equal Payment | Description of Collateral |
|-------------------|---------|---------------|-----------|---------------------|-----------------------|---------------------------|
| HSBC - PMSI - 910 | 3       | \$22,898      | 8.00      | \$162               | \$464.29              | 2008 Mazda 3              |
|                   |         |               | 8.00      |                     |                       |                           |
|                   |         |               | 8.00      |                     |                       |                           |
|                   |         |               | 8.00      |                     |                       |                           |

| ATTORNEY FEE (Unpaid part)             |      |           |        | Amount      |
|--|------|-----------|--------|-------------|
| Law Offices of John T. Orcutt, P.C.    |      |           |        | \$2,800     |
| SECURED TAXES                          |      |           |        | Secured Amt |
| IRS Tax Liens                          |      |           |        |             |
| Real Property Taxes on Retained Realty |      |           |        |             |
| UNSECURED PRIORITY DEBTS               |      |           |        | Amount      |
| IRS Taxes                              |      |           |        |             |
| State Taxes                            |      |           |        |             |
| Personal Property Taxes                |      |           |        |             |
| Alimony or Child Support Arrearage     |      |           |        |             |
| CO-SIGN PROTECT (Pay 100%)             |      |           | Int. % | Payoff Amt  |
| All Co-Sign Protect Debts (See*)       |      |           |        |             |
| GENERAL NON-PRIORITY UNSECURED         |      |           |        | Amount*     |
|  | DMI= | None(\$0) |        |             |

## PROPOSED CHAPTER 13 PLAN PAYMENT

\$ 2,865 per month for 60 months, then

\$ N/A per month for N/A months.

Adequate Protection Payment Period: 3 months.

Sch D # = The number of the secured debt as listed on Schedule D.

Adequate Protection = Monthly 'Adequate Protection' payment amt.

\* = Co-sign protect on all debts so designated on the filed schedules.

\* = DMI x ACP

\*\* = Pre-petition arrearage includes 1 post-petition mortgage payment.

Ch13Plan\_MD\_(DeSardi) (11/6/07) © John T. Orcutt (Page 4 of 4)

## Other Miscellaneous Provisions

## **CERTIFICATE OF SERVICE**

I, Charlene Free, the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II  
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

**All the creditors set forth on the mailing matrix filing in this case.**

/s Charlene Free

Charlene Free

North Carolina Department of Revenue  
c/o NC Department of Justice  
Post Office Box 629  
Raleigh, NC 27602-0629

ChexSystems  
Attn: Consumer Relations  
7805 Hudson Road, Ste. 100  
Woodbury, MN 55125

Credit Bureau of Greensboro\*\*  
Post Office Box 26140  
Greensboro, NC 27402-0040

Employment Security Commission  
Attn: Benefit Payment Control  
Post Office Box 26504  
Raleigh, NC 27611-6504

Absolute Collection Service \*\*  
421 Fayetteville Street Mall  
Suite 600  
Raleigh, NC 27601

Duke University Hospital  
Post Office Box 91040  
Durham, NC 27708-1040

Credit Bureau  
Post Office Box 26140  
Greensboro, NC 27402

Afni, Inc. (Nextel)  
Post Office Box 3427  
Bloomington, IL 61702-3427

Durham County Tax Collector  
Post Office Box 3397  
Durham, NC 27701

NC Child Support  
Centralized Collections  
Post Office Box 900006  
Raleigh, NC 27675-9006

Allied Interstate  
3000 Corporate Exchange Drive  
5th Floor  
Columbus, OH 43231

ER Solutions (Verizon)  
Post Office Box 9004  
Renton, WA 98057-9004

Internal Revenue Service\*\*  
Post Office Box 21126  
Philadelphia, PA 19114-0326

Bank of America  
Post Office Box 9000  
Getzville, NY 14068-9000

HSBC  
Post Office Box 5251  
Carol Stream, IL 60197-9642

Equifax Information Systems LLC  
P.O. Box 740241  
Atlanta, GA 30374-0241

Beneficial  
4711 Hope Valley Road  
Durham, NC 27707

HSBC  
Post Office Box 80084  
Salinas, CA 93912

Experian  
P.O. Box 2002  
Allen, TX 75013-2002

Capital One  
Post Office Box 30285  
Salt Lake City, UT 84130-0285

HSBC Auto Finance  
Post Office Box 17904  
San Diego, CA 92177-7904

Innovis Data Solutions  
Attn: Consumer Assistance  
P.O. Box 1534  
Columbus, OH 43216-1534

Capital One  
Post Office Box 98873  
Las Vegas, NV 89193

Jennifer Morton  
3309 Thayer Drive  
Waxhaw, NC 28173

Trans Union Corporation  
P.O. Box 2000  
Crum Lynne, PA 19022-2000

Cornwell Quality Tools  
Attn: Tech-Credit  
Post Office Box 8251  
Southeastern, PA 19398-8251

John T. Orcutt  
6616-203 Six Forks Road  
Raleigh, NC 27615

Juniper Bank  
Post Office Box 8802  
Wilmington, DE 19899-8802

Snap-On Credit  
950 Technology Way  
Ste 301  
Libertyville, IL 60048

Kross, Lieberman and Stone, Inc.  
Post Office Box 17449  
Raleigh, NC 27619-7449

Southbeach Resorts  
4725 North Scottsdale Road  
Suite 300  
Scottsdale, AZ 85251

Management and Recovery Consultants  
13730 South Point Boulevard  
Charlotte, NC 28273

Verizon Wireless Bankruptcy\*\*\*\*  
Administration  
Post Office Box 3397  
Bloomington, IL 61702-3397

Marie Parker  
11645 Highway 96 South  
Dunn, NC 28334

North Carolina Department of Revenue  
c/o Reginald S. Hinton  
Post Office Box 25000  
Raleigh, NC 27640-5000

North Carolina Dept of Revenue\*\*  
Post Office Box 1168  
Raleigh, NC 27602-1168

Reward Zone Program  
Mastercard  
Post Office Box 80045  
Salinas, CA 93912-0045

Rex Hospital  
4420 Lake Boone Trail  
Raleigh, NC 27613

Smith, Debnam, Narron, Wyche,  
Saintsing, & Myers, LLP  
Post Office Box 26268  
Raleigh, NC 27611